

02910.000086



PATENT APPLICATION

Tran
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: Hoan H. Tran
Atsushi NUMAGAMI, et al.)	
	:	Group Art Unit: 2852
Application No.: 10/671,521)	
	:	
Patent No: 6,954,601)	
	:	
Filed: September 29, 2003)	
	:	
Issued: October 11, 2005)	
	:	
For: PROCESS CARTRIDGE AND)	
ELECTROPHOTOGRAPHIC	:	
IMAGE FORMING)	
APPARATUS	:	December 9, 2005

Mail Stop Petitions

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION OF
PATENT TERM ADJUSTMENT UNDER 37 C.F.R. §1.705(d)**

Sir:

Patentees hereby request the Commissioner under 37 C.F.R. §1.705(d) for reconsideration and recalculation of the Patent Term Adjustment (PTA) for the above-identified Patent. Attached is the \$200.00 petition fee. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this request to Deposit Account No. 06-1205.

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FACTS

The Patent Office reduced the patent term adjustment from the 120 days listed in the Notice of Allowance because of the filing of two papers after the issuance of the Notice of Allowance. The first paper, the certified copy of the priority document, was filed on April 14, 2005 and acknowledged by the Examiner in a July 1, 2005 communication, resulting in a reduction in the patent term adjustment of 78 days. A copy of this July 1, 2005 Communication is attached. The second paper, an Amendment After Allowance, was filed on June 29, 2005 and was entered in the July 12, 2005 Response to Rule 312 Communication, a copy of which is attached, resulting in a reduction of the patent term adjustment of 14 days. The total reduction in the patent term adjustment is the total of these two adjustments ($78 + 14 = 92$) minus the number of days overlapping these two time periods (2 days), which is 90 days ($92 - 2 = 90$). The total patent term adjustment equals the patent term adjustment listed in the Notice of Allowance (120 days) minus the reduction in the patent term adjustment due to the filing of papers after the issuance of the Notice of Allowance (90 days), which is 30 days ($120 - 90 = 30$). Accordingly, the patent term adjustment listed on the cover page of the patent should be 30 days.

But the cover page of this patent lists the patent term adjustment as 0 days due to a reduction of the patent term adjustment of 120 days. Apparently, the Patent Office arrived at a 120 day reduction in the patent term adjustment and a patent term adjustment of 0 days by ignoring the July 1, 2005 priority document acknowledgment from the Examiner and instead

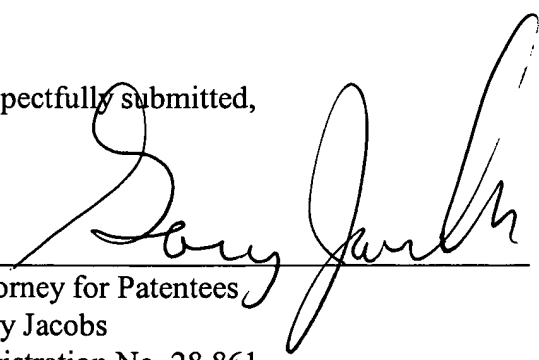
using a second priority acknowledgment issued by the Publication Division on August 20, 2005 for the calculation of the reduction in the patent term adjustment. But the Patent Office must use the earlier priority acknowledgment in its calculation of the reduction of the patent term adjustment. This Patent Office error appears to have occurred because the July 1, 2005 Communication from the Examiner acknowledging receipt of the priority document is identified in the Image File Wrapper a "Miscellaneous Communication".

RELIEF REQUESTED

Accordingly, Patentees respectfully request reconsideration of the Patent Term Adjustment so as to produce a PTA of 30 days.

Patentees' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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